

UNITED STATES DISTRICT COURT

Southern

District of

New York

JOHN MARTINI

SUMMONS IN A CIVIL ACTION

V.

City of New York, Police Officer Hadkin, and
Police Officers "John and Jane Doe" #1-8 (said
*names being fictitious, as their true
names are presently unknown*)

CASE NUMBER:

'07 CIV 8447

JUDGE CHIN

TO: (Name and address of Defendant)

POLICE OFFICERS "JOHN AND JANE DOE" #1-8 (said names being
fictitious, as their true names are presently unknown)
Midtown South Precinct
357 West 35th Street
New York, New York 10001

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

ARNOLD J. LEVINE, ESQ.
233 BROADWAY, SUITE 901
NEW YORK, NEW YORK 10279

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

SEP 28 2007

CLERK

Mario Quintero

DATE

(By) DEPUTY CLERK

JOHN MARTINI

Plaintiff(s)

- against -

Index # 07 CIV 8447 (CHIN)

CITY OF NEW YORK, ETAL

Purchased September 28, 2007

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BARRY F. GERMAN BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on October 18, 2007 at 10:05 AM at

MIDTOWN SOUTH PRECINCT
 357 WEST 35TH STREET
 NEW YORK, NY 10001

deponent served the within SUMMONS & VERIFIED COMPLAINT; INDIVIDUAL PRACTICES OF JUDGE DENNY CHIN; GUIDELINES FOR ELECTRONIC CASE FILING on POLICE OFFICERS "JOHN AND JANE DOE"#1-8 (SAID NAMES BEING FICTITIOUS, AS THEIR TRUE NAMES ARE PRESENTLY UNKNOWN) therein named,

**SUITABLE
 AGE**

by delivering thereat a true copy of each to P.O. GIGLIO a person of suitable age and discretion. Said premises is Defendant's actual place of business within the state. She identified herself as the CO-WORKER of the Defendant.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
FEMALE	WHITE	BLONDE	45	5'6	150

MAILING

Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's actual place of business at

MIDTOWN SOUTH PRECINCT
 357 WEST 35TH STREET
 NEW YORK, NY 10001

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on October 19, 2007 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

**MILITARY
 SERVICE**

Person spoken to was asked whether the Defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the Defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: October 19, 2007

JOEL GRABER
 Notary Public, State of New York
 No. 02GR4699723
 Qualified in New York County
 Comm. Expires February 10, 2010

JONATHAN GRABER
 Notary Public, State of New York
 No. 01GR6156780
 Qualified in New York County
 Comm. Expires December 4, 2010

BARRY F. GERMAN
 License #: 982866
 Invoice #: 450027